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TO **NAME:** Examiner Gloria R. Weeks
 FIRM: U.S. Patent & Trademark Office
 FAX NO.: 571-273-2885 (Issue Fee Telephone No.)
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MESSAGE Attached please find the following regarding **U.S. Application No. 10/773,252:**

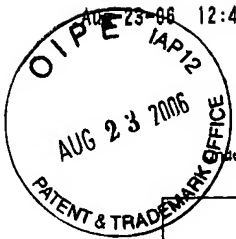
1. Submission of Issue Fee Transmittal (1 page);
2. Part B - Fee Transmittal (1 page);
3. Certificate of Transmission (1 page);
4. Fax Cover Sheet (1 page) and
5. Comments on Statement of Reasons for Allowance (2 pages)..

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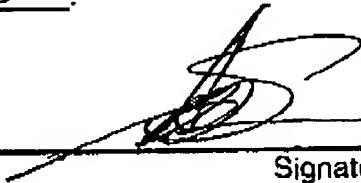
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Attorney Docket No. 54525.000105
U.S. Application No: 10/773,252

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application Number: 10/773,252

First Named Inventor: Mark Alan ETTER

Filed: February 9, 2004

Title: Belt Clip of Hand-Held Power
Tools

Attorney Docket No.: 54525.000105

Art Unit: 3721

Examiner: Gloria R. WEEKS

Confirmation: 7155

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Sir,

In an Office Action, mailed January 20, 2006, the Examiner indicated as allowable claims 22 and 33. Claims 22 and 33 recited, *inter alia*, "a pad formed on the housing with a perimeter that corresponds generally to the profile of the clip that is adjacent to the housing when the clip is attached to the housing." Claims 14-21 and 26-31 were subsequently amended to include the limitations of claims 22 and 33, respectively, and thereafter allowed.

With respect to the allowability of the claims 22 and 33, the Examiner stated:

The following is a statement of reasons for the indication of allowable subject matter of claims 22, 23, 33 and 34: The art of record considered as a whole, alone or in combination, neither anticipates nor renders obvious a hand-held device comprising a housing and a detachably mounted holding means, wherein a pad is formed on the housing with a perimeter that corresponds to the general profile of the clip adjacent the housing, for the purpose of providing cushioning to the operator of the device when handling the device about the clip, as well as providing a visual orientation of the clip on the housing of the device.

Application No.: 10/773,252
Atty. Docket No.: 54525.000105

Comments on Statement of Reasons for Allowance


While Applicants agree that the subject matter recited in claims 22 and 33 is sufficient to distinguish a claim over the prior art, Applicants respectfully submit that the Examiner's statement of the purposes of the pad, to provide cushioning and visual orientation, should not and need not be incorporated into the claims. The stated purposes are not recited in the allowed claims and are not necessary to render the claims allowable.

Applicants respectfully submit that each of the allowed claims independently recites allowable subject matter not anticipated by or obvious over the prior art. Because each claim recites limitations at least sufficient to distinguish over the prior art, Applicants do not believe that the Examiner's reasons for allowance should limit any claim beyond its specific language. Applicants believe that each claim need not recite or incorporate the Examiner's suggested purposes in order to be allowable. Rather, each claim is independently allowable because the prior art does not describe or suggest at least the features recited in that claim.

Respectfully submitted,
HUNTON & WILLIAMS

Dated: 23 Aug 2006

By:


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